

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TARIQ JONES,

Plaintiff,

Civil Action No. 19-CV-12008

vs.

HON. BERNARD A. FRIEDMAN

UNIVERSITY OF DETROIT MERCY, et al.,

Defendants.

**ORDER DENYING PLAINTIFF'S MOTION TO STRIKE THE AFFIDAVIT OF
BACARI ALEXANDER FROM DEFENDANTS' REPLY BRIEF**

Plaintiff has filed a motion in this matter [docket entry 40] to strike the affidavit of defendant Bacari Alexander, which is attached as an exhibit to defendants' reply to plaintiff's response to defendants' motion for summary judgment. Plaintiff argues that the Alexander affidavit is new evidence, which would be unfair for the Court to consider because he has no opportunity to respond.

The claimed unfairness is easily remedied: Plaintiff's motion to strike Alexander's affidavit is denied, but plaintiff may file a ten-page sur-reply brief.

SO ORDERED.

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE

Dated: December 30, 2020
Detroit, Michigan